

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7797

Application of Peter Gebbie for a certificate of public)
good authorizing the installation and operation of a)
150 kW agricultural-methane electrical generating)
facility pursuant to 30 V.S.A. § 8007(a))

Order entered: 10/27/2011

I. INTRODUCTION AND PROCEDURAL HISTORY

This case involves an application filed by Peter Gebbie ("Applicant"), on August 18, 2011, requesting a certificate of public good ("CPG"), pursuant to 30 V.S.A. §§ 219a and 8007(a) and Vermont Public Service Board ("Board") Rule 5.100, for a 150 kW agricultural-methane electrical generating facility (the "Project").

Pursuant to 30 V.S.A. § 8007(a), all small renewable energy plants of 150 kW or less in capacity may utilize the streamlined application and interconnection procedures developed for net metering systems under 30 V.S.A. § 219a and Board Rule 5.100.

Notice of the application has been sent to all parties as specified in the Board's Rule 5.100. The notice stated that any party wishing to submit comments or request a hearing in this matter needed to file comments with the Board within ten (10) working days of the date that the notice of the application was sent.

On August 31, 2011, Susan Cammer filed a letter with the Board expressing a concern about the Project's potential to produce noise that would be audible from her home. On October 4, 2011, the Board issued a memorandum asking the Applicant to respond to Ms. Cammer's concerns. The Applicant did not file a response; however, on October 14, 2011, Ms. Cammer filed a letter stating that, after discussing the details of the Project with the Applicant, she withdrew her earlier concerns and supported the Project.

No other comments have been received from any other parties or interested persons.

The Board has reviewed the application and accompanying documents and agrees that, pursuant to 30 V.S.A. §§ 219a, 248, 8007(a) and Board Rule 5.100, a CPG should be issued without further investigation or hearing.

II. FINDINGS

Based upon the application and its accompanying documents, the Board makes the following findings in this matter.

1. The proposed project will be on property owned by Applicant and located at 2183 Gebbie Road, Greensboro, Vermont. Application at Section 1.
2. The proposed generating facility is to be erected within a utility building located on the Maplehurst Farm's farmstead. Application at Section 6.
3. The proposed project consists of an agricultural-methane digester and an induction generator with a system-rated output of 150 kW AC. The facility will be interconnected with the Town of Hardwick Electric Department's electrical distribution system. Application at Section 6 and Exhibit 4.
4. The proposed project is being developed under the Sustainably Priced Energy Enterprise Development ("SPEED") standard-offer program. *See* Letter from Ebenezer Punderson, Esq., on behalf of Peter Gebbie, to Susan Hudson, Clerk of the Board, dated August 18, 2011.
5. Applicant has certified that the project is in compliance with all of the provisions of Section 3 of the application. Based on these submissions, we conclude that the project does not raise a significant issue with respect to the environmental criteria of 30 V.S.A. § 248. Application at Section 3.
6. Applicant has certified compliance with the insurance requirements as set forth in Section 3 of the application. Application at Section 3.

Discussion

The Applicant did not state whether he intended to employ feedstock from outside sources for the proposed agricultural-methane electrical generating facility. Any potential use and storage of off-farm feedstock for such projects raises concerns with regard to transportation and storage and handling. Therefore, considering that the Applicant did not propose employing

off-farm feedstock for the project or discuss the potential impacts of off-farm feedstock on the substantive criteria of Section 248, we are including a condition that prohibits the proposed agricultural-methane electrical generating facility from employing off-farm feedstock unless the Applicant receives specific approval from the Board in the future to do so.

III. CONCLUSION

Based upon the findings and evidence, the proposed small renewable energy project meets the requirements of Board Rule 5.100, the application does not raise a significant issue with respect to the substantive criteria of 30 V.S.A. § 248, and the proposed project will promote the general good of the State.

IV. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that:

1. The proposed agricultural-methane electrical generating facility, in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State of Vermont pursuant to 30 V.S.A. §§ 219a, 248, and 8007(a), and a certificate of public good to that effect shall be issued in this matter.
2. Construction, operation, and maintenance of the proposed project shall be in accordance with the plans and representations as submitted in this proceeding. Any material deviation from these plans must be approved by the Board.
3. The agricultural-methane electrical generating facility shall comply with applicable existing and future statutory requirements and Board Rules and Orders.
4. The agricultural-methane electrical generating facility shall not employ off-farm feedstock, absent further approval from the Board.

DATED at Montpelier, Vermont, this 27th day of October, 2011.

<u>s/ James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/ David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/ John D. Burke</u>)	

OFFICE OF THE CLERK

Filed: October 27, 2011

Attest: s/ Judith C. Whitney
Deputy Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.